

# **TOWN OF NEWSTEAD - PLANNING BOARD MINUTES**

**June 7, 2004**

PRESENT: Tom Cowan, Chair  
Mark Decker  
Terry Janicz  
Don Hoefler  
Rick Meahl  
Andy Kelkenberg  
Rebecca Baker, Zoning Officer  
Christine Falkowski, Planning Board Clerk

The meeting was called to order by Tom Cowan at 7:45 PM.

## **OLD BUSINESS**

Christine distributed Planning & Zoning summer school information.

**Flaglots/Open Development** Tom reviewed “Open Area Development” draft, and asked the Board to make notes for the next meeting.

**Fence/Wall Ordinance** Tom will write up draft for next meeting.

**Sign Ordinance** Don will measure and re-check size parameters in the draft ordinance. Tom will look to Nathan for feedback relative to Duane Root’s and the Judges’ opinions about lowering penalties for ease of use.

**Route 5 /Overlay Zone/Moratorium on Used Auto Dealers/Design Criteria** Tom pointed out some map changes from the meeting held on May 21<sup>st</sup>. Becky noted that the moratorium on used car dealers has expired, but that the current commercial development moratorium covers this.

**Minutes Review** – Don motioned to approve the minutes of May 17<sup>th</sup>, seconded by Rick and all approved.

**Zoning Report** – Becky reviewed her zoning report dated May 24, 2004.

## **NEW BUSINESS**

### **(2) Lot Minor Subdivision Application – Utley Road – Craig Kelkenberg**

Craig would like to split off 10 acres from the center of a 54-acre parcel on Utley Road, thereby creating two additional lots. He paid the fee of \$1,275, provided a survey and full EAF. A drainage plan was not provided, and a discussion ensued as to whether it should be a requirement at subdivision approval or upon building permit application. Tom motioned to approve the minor subdivision, with the condition that drainage plans will be provided for all future subdivisions or building on these three parcels, seconded by Don and all approved

### **Approved Subdivision – Maple Road – Pannella**

A revised survey was submitted for the 22-acre subdivision approved on May 3, 2004. The boundary is now 9’ further from the house (341’ instead of 332’). Terry motioned to approve the revised survey, seconded by Mark and all approved.

### **Code Interpretation – 5/25/04 Memo – presented by Becky**

The literal enforcement of Section 100-36B of our Code is open to interpretation pertaining to licensed new and used motor vehicle dealers. Also, a question arose as to whether the State approves the site or just the license.

Becky also pointed out that the Route 5 Rezoning project does not mention used car dealers. Is it the intent to disallow any future used car dealers, or just make the design criteria more restrictive? The Board felt the latter was the intent. Therefore, used car dealers should be included in the revised Code as a result of the overlay.

### **Minor Subdivision Application & Checklist**

Christine distributed a revised Subdivision Application that she and Andrew created as a more thorough system for checks and balances. It is also the result of researching other town’s applications and policies. Along with the application will be a Subdivision Review Checklist, an internal document to be completed by the Planning Board for each approval and kept on file. This will be reviewed at the next meeting.

The Planning Board received a request from the Akron Airport for fencing and t-hangars, which needs a variance first.

**Next meeting: Monday, June 21, 2004.** There will be no meeting on Monday, July 5<sup>th</sup>. Therefore, keep July 12<sup>th</sup> and July 19<sup>th</sup> open just in case the need arises for two meetings in July.

Terry motioned to adjourn the meeting at 9:25 PM, seconded by Andy and all approved.

Respectfully submitted, Christine Falkowski, Recording Secretary